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VIA HAND DELIVERY MAY 30, 2003



Docket No.: PF141P4
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Yu et al

Application No.: 09/246,129

Group Art Unit: 1647

Filed: February 8, 1999

Examiner: D. Romeo

For: Tumor Necrosis Factor-Gamma

THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 to inform the Patent and Trademark Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of a claim of the subject application, Attorneys for Applicants hereby direct the Examiner's attention to references CC-CF listed on the attached Form PTO/SB/08A. A copy of each of references CC-CF is enclosed.

The above information is presented so that the Patent and Trademark Office can determine any materiality thereof to the claimed invention. See 37 CFR § 1.104(a) concerning the PTO duty to consider and use any such information. It is respectfully requested that the information be considered during the prosecution of this application.

Identification of the listed references is not to be construed as an admission of any individual associated with the filing or prosecution of the subject application that such references are available as "prior art" against the subject application. Furthermore, Applicants

do not waive any rights to appropriate action to establish patentability over any of the listed documents should they be applied as references against the claims of the subject application.

Applicants respectfully request that the Examiner review the listed references and that the references be made of record in the file history of the application.

Pursuant to 37 C.F.R. § 1.97(d), although this Third Supplemental Information Disclosure Statement is being filed after the mailing date of a Final Office Action on the merits, the Patent and Trademark Office will consider the Third Supplemental Information Disclosure Statement if it is accompanied by a statement as specified in 37 C.F.R. § 1.97(d)(1) and the fee as specified in 37 C.F.R. 1.97(d)(2).

Accordingly, the undersigned certifies pursuant to 37 C.F.R. § 1.97(e)(1) that each item of information contained in this Third Supplemental Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this Third Supplemental Information Disclosure Statement. In particular, the listed references were cited in a European Search Report (reference CF) mailed May 6, 2003, in connection with a corresponding international application. The required fee of \$180.00 is also transmitted herewith with the concurrently filed Fee Transmittal.

Please charge our Deposit Account No. 08-3425 in the amount of \$180.00 covering the fee set forth in 37 CFR 1.17(p).

Dated: May 30, 2003

Respectfully submitted,

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